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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 000329

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SUBJECT: EU COUNCIL DIRECTOR GENERAL ON BOSNIA EUSR DECISION

Classified By: CDA Christopher Murray for reasons 1.4 (b) and (d).

¶1. (C) Summary: Robert Cooper, a contrite EU Council Director General for External and Political-Military Affairs, convoked the non-EU Peace Implementation Council (PIC) partners in Brussels on short notice the morning of Wednesday March 11. Cooper apologized for the EU's "messy" process of selecting a new special representative (EUSR) for Bosnia and the confusion which accompanied it. He shared with his guests the likelihood that Valentin Inszko would be appointed EUSR March 11, provided no negative responses were received from Member States. While stressing that the EU was not trying to preempt a decision of the PIC Steering Board due to a legal requirement, Cooper said that appointing Inszko as High Representative (HR) prior to the upcoming PIC meeting March 25-26 would be "preferable from the EU's perspective." He said that if the PIC Steering Board in Sarajevo wanted to do so in advance of the meeting, "it could do so." Cooper also shared privately with USEU Charge that EU High Representative Solana would be more engaged on Bosnia in the coming months and that inviting Inszko to the upcoming U.S.-EU Summit in Prague would an excellent opportunity to bolster Inszko's status and effectiveness. End Summary.

#### A "Messy" Process

¶2. (C) The EU Council's Director General for External and Political-Military Affairs Robert Cooper apologized March 11 to non-EU PIC partners (the U.S., Russia, Turkey, Japan and Canada) for the EU's "messy" process of selecting a new EUSR for Bosnia and the confusion which accompanied it. Cooper attributed this to the quick manner in which Lajcak was forced to step down as EUSR in order to assume his new responsibilities as Slovak Foreign Minister. Furthermore, the EU did not want the position to remain vacant for long, given the deteriorating political situation on the ground, and that EU law requires more or less uninterrupted tenure of an EUSR in order to pay related EUSR staff in Bosnia and elsewhere. Concerning this final "purely EU reason," Cooper added that the Council Secretariat had been successful in persuading Commission lawyers that continuing to fund the EUSR staff was "the sensible thing to do in an exceptional situation" and that the Council Secretariat would move to have a new EUSR in place as soon as possible.

¶3. (C) Cooper reported that subject to no negative responses from the Member States, Inszko would be appointed EUSR March 11. He stressed that the EU was not trying to preempt the PIC Steering Board's decision on a new HR. Cooper added with respect to that, "if the PIC decides otherwise, we will tear up this nomination of Inszko as EUSR." This suggests that the EU could revisit the decision if the PIC found Inszko unacceptable.

¶4. (C) Cooper said that while the EU had no intention of

briefing the press, if forced to comment, he would say that the legal process for EUSR selection had been completed today, but that the political process would be concluded by the PIC. Cooper shared that he would recommend that the Political and Security Committee (meeting later on March 11) not include today's decision in the March GAERC conclusions so as not to attract more publicity and create additional confusion. He said ideally the EU would prefer to announce Inszko's selection as EUSR at the same time the PIC announced a HR selection.

#### The EU's View on the Timing of Things

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15. (C) Cooper said that from the EU's perspective, appointing Inszko as HR as quickly as possible would be "a good thing, preferably before the March 25-26 PIC." He said that if the PIC Steering Board in Sarajevo wanted to do so in advance of the March PIC, "it could do that," adding that they could do this as early as this Friday (March 13) or next. The Russian ambassador asked the assembled non-EU PIC representatives whether there was consensus in the PIC Steering Board on Inszko. Cooper responded that the question was unfair, as instructions were probably going from capitals to Sarajevo.

16. (C) Cooper stressed that while the EU continued to prepare for an eventual OHR-EUSR transition, the decision "needed to be reached together with the PIC Steering Board." He said the progress on 5 plus 2 was not complete, adding that these elements needed to be fulfilled "to the letter,

BRUSSELS 00000329 002 OF 002

especially in this time of transition." Cooper said that "we don't see a schedule or calendar as the driving factor of this process" and stressed that "a new phase should not be started with a nasty political fix."

17. (C) Describing Inszko as "a fine man with long history in the region," Cooper said that Inszko has shown "a strong personal commitment to the country and has a good understanding of both the political difficulties and political possibilities." Cooper reported that Inszko would travel to Moscow for consultations March 16 and that he would be willing to introduce Inszko to non-EU PIC ambassadors in Brussels March 18 should they be interested.

#### On the Fringes

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18. (C) After the meeting, Cooper pulled USEU Charge aside to make several points. First, Cooper reported that HR Solana would be taking a more engaged and active role on Bosnia in the weeks and months to come. Second, Cooper said he wanted to suggest that we invite Inszko to the upcoming U.S.-EU Summit in Prague, do a lot of photos with him, and in that and other ways, use the summit occasion as an opportunity to bolster Inszko as much as possible. Third, concerning the recent Dodik-Solana meeting of last week, Cooper replied that while Dodik always comes to Brussels and says the right things, the true test is what he does when he gets back.

MURRAY

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